

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

PROFESSIONAL INVESTIGATING &  
CONSULTING AGENCY, INC.

Plaintiff,

-v-

DAVID SUZUKI, et al. ,

Defendants.

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:  
:

CASE No. 2: 11 CV 1025

Judge Gregory L. Frost

Magistrate Judge Deavers

**PLAINTIFF'S SUPPLEMENT TO ITS RESPONSE TO ORDER TO SHOW CAUSE**

On May 18, 2012, this Court issued an Order directing Plaintiff ("PICA") to show cause why the action should not be dismissed without prejudice pursuant to FRCP 4(m). PICA responded on June 1, 2012, indicating the steps taken to perfect service on Defendants, both of whom reside in Hong Kong.

PICA now supplements its response with the attached *Affirmations of Non-Service*, indicating that neither defendant has yet been served. PICA will again contract with Legal Language Services in order to perfect service on Defendants, and will keep the Court advised of its progress.

Respectfully submitted,

/s/ John M. Gonzales

John M. Gonzales (0038664)

Robert J. Behal (0014085)

THE BEHAL LAW GROUP LLC

501 South High Street

Columbus, Ohio 43215

T: (614) 643-5050

F: (614) 224-8708

Email: jgonzales@behallaw.com

rbehal@behallaw.com

*Trial Attorneys for Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that on this \_\_\_\_\_ day of \_\_\_\_\_, 2012, I served a copy of the foregoing, *Plaintiff's Response to Order to Show Cause*, by Facsimile Transmission Only, upon:

Mena Lo, Esq.  
Wilkinson & Grist  
6<sup>th</sup> Floor, Prince's Building  
10 Chater Road, Central  
Hong Kong  
*Attorney for Defendants,  
Suzuki Reconnaissance Advisors Limited and  
David Suzuki*

\_\_\_\_\_  
/s/ John M. Gonzales  
John M. Gonzales (0038664)

香港特別行政區政府  
政務司司長辦公室轄下行政署



The Government of  
The Hong Kong Special Administrative Region  
Administration Wing,  
Chief Secretary for Administration's Office

香港添馬添美道 2 號

2 Tim Mei Avenue, Tamar, Hong Kong

本函檔號 Our Ref.: CSO/ADM/SJ/24/2012

來函檔號 Your Ref.:

Room 321, 3/F, East Wing  
Central Government Offices  
Tel No. (852) 2810 3969  
Fax No. (852) 2842 8897

**By Speedpost**

4 May 2012

Karina Shreefer, Esq.  
LEGAL LANGUAGE SERVICES  
8014 State Line Road, Suite 110  
Leawood, Kansas 66208  
USA

Dear Sir,

**Service of Documents on  
David SUZUKI**

I refer to your recent request for service and regret to inform that service of judicial documents could not be effected on the party concerned. Enclosed please find an Affirmation of Non-service completed by the Bailiff's Assistant of the High Court and the unserved documents for your disposal.

It is noticed that 'USA' and 'Hong Kong' are listed on an equal basis in the request form. For future requests for service, you may consider amending the above 'Hong Kong' to 'Hong Kong, China'.

Yours faithfully,

(Calvin Chan)  
for Chief Secretary for Administration

Encl.



CSO/ADM/SJ/24/2012A

Request for Service of Judicial Documents from: USA (Kansas)

Party for Service: David Suzuki

AFFIRMATION OF NON-SERVICE

I, MO Sum-yu, Bailiff's Assistant of the High Court of Hong Kong, solemnly, sincerely and truly affirm as follows:

1. I was directed by the Registrar, High Court of Hong Kong to serve the above-named David Suzuki with the following judicial documents:

- (i) Request;
- (ii) Summary of the document to be served;
- (iii) Certificate (unexecuted);
- (iv) Notice with Civil Action No. 2:11 CV 1025;
- (v) Summons in a Civil Action with Civil Action No. 2:11 CV 1025;
- (vi) Complaint for Injunction with Exhibit 1 with Case No. 2:11 CV 1025.

2. I did on Wednesday the 28<sup>th</sup> day of March 2012 at 1141 hours call at the address given in the Request for Service, namely, Room 602, 135 Bonham Strand Trade Center, 135 Bonham Strand, Sheung Wan, Hong Kong, for effecting service of the aforesaid judicial documents.

3. On arrival at the aforesaid address, a Mr. NAN answered my call. I revealed my identity and purpose of visit to him. Mr. NAN told me that the premises were occupied by a company namely, Suzuki Reconnaissance Advisors Limited and the Party for Service was unknown to him.

4. For the aforesaid reason, I was unable to effect service of the aforesaid judicial documents.

AND LASTLY, I solemnly, sincerely and truly affirm that the contents of this Affirmation are true.

AFFIRMED at  
Bailiff Hong Kong Regional Office,  
26th floor, Wanchai Law Courts Building,  
Hong Kong,  
this 16<sup>th</sup> day of April 2012

)  
)  
)  
)

Before me,

  
**SUEN Wai-hung**  
Commissioner for Oaths  
Judiciary

CSO/ADM/SJ/24/2012A

**Request for Service of Judicial Documents from  
USA (Kansas)**

**Judicial Documents to be served on:  
David Suzuki**

\*\*\*\*\*

**AFFIRMATION OF MO Sum-yu**

\*\*\*\*\*

**Dated this 16<sup>th</sup> day of April 2012.  
Bailiff Hong Kong Regional Office,  
26th Floor, Wanchai Law Courts Building,  
Hong Kong,**

Civil Action No. 2:11 CV 1025

**REQUEST  
FOR SERVICE ABROAD OF JUDICIAL OR EXTRAJUDICIAL DOCUMENTS  
DEMANDE  
AUX FINS DE SIGNIFICATION OU DE NOTIFICATION A L'ÉTRANGER  
D'UN ACTE JUDICIAIRE OU EXTRAJUDICIAIRE**

Convention on the service abroad of judicial and extrajudicial documents in civil or  
commercial matters, signed at The Hague, November 15, 1965.  
Convention relative à la signification et à la notification à l'étranger des actes judiciaires ou extrajudiciaires en matière civile  
ou commerciale, signée à La Haye, le 15 Novembre 1965.

**Identity and address of the applicant  
Identité et adresse du requérant**

Karina Shreefer, Esq.  
LEGAL LANGUAGE SERVICES  
8014 State Line Road, Suite 110  
Leawood, Kansas 66208  
UNITED STATES OF AMERICA  
Tel. 1.913.341.3167

**Address of receiving authority**

Chief Secretary for Administration  
Hong Kong Special Administrative Region  
Government  
Room 321, 3/F., East Wing  
Central Government Offices  
2 Tim Mei Avenue, Admiralty  
HONG KONG, CHINA

The undersigned applicant has the honour to transmit—in duplicate—the above-mentioned Convention, requests prompt service of one copy thereof on the addressee (identity and address)

Le requérant soussigné a l'honneur de faire parvenir—en double exemplaire—à l'autorité destinataire les documents ci-dessous énumérés, en la priant conformément à l'article 5 de la Convention précitée, d'en faire remettre sans retard un exemplaire au destinataire, savoir:

(identité et adresse) David SUZUKI, an individual

Room 602, 135 Bonham Strand Trade Center, 135 Bonham Strand Sheung Wan  
HONG KONG

- ☐ (a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention.\*  
(a) selon les formes légales (article 5, alinéa premier, lettre a):
- ☒ (b) in accordance with the following particular method (sub-paragraph (b) of the first paragraph of article 5)\*:  
(b) selon la forme particulière suivante (article 5, alinéa premier, lettre b): Personal (in-hand) service by a judicial officer in accordance with your internal law for service of documents upon persons or entities in your territory.
- ☐ (c) by delivery to the addressee, if he accepts it voluntarily (second paragraph of article 5)\*:  
(c) le cas échéant, par remise simple (article 5, alinéa 2):

The authority is requested to return or to have returned to the applicant a copy of the documents—and of the annexes\*—with a certificate as provided on the reverse side.

Cette autorité est priée de renvoyer ou de faire renvoyer au requérant un exemplaire de l'acte—et de ses annexes—avec l'attestation figurant au verso.

THE PERSONS AND ENTITIES WITHIN THE UNITED STATES COMPETENT TO FORWARD SERVICE REQUESTS PURSUANT TO ARTICLE 3 INCLUDE ANY COURT OFFICIAL; ANY ATTORNEY; OR ANY OTHER PERSON OR ENTITY AUTHORIZED BY THE RULES OF THE COURT. (See U.S. declarations to the 1965 Convention at the Hague Conference website: [http://www.hcch.net/index\\_en.php?act=authorities.details&aid=279](http://www.hcch.net/index_en.php?act=authorities.details&aid=279))

**List of documents**

**Énumération des pièces**

Executed "Request," in duplicate  
"Certificate" (unexecuted), in duplicate  
"Summary," in duplicate  
"Notice," in duplicate  
Summons in a Civil Action, in duplicate  
Complaint for Injunction with Exhibit 1, in duplicate  
   
   
 

Done at Leawood, Kansas, U.S.A., the 12 Dec. 2011

Fait à \_\_\_\_\_, le \_\_\_\_\_

Signature and/or stamp.

Signature et/ou cachet.

Karina Shreefer

(Formerly OBD-116 which was formerly LAA-116,  
both of which may still be used)

USM-94  
(Est. 11/22/77)

\*Delete if inappropriate  
Rayer les mentions inutiles.

# **CERTIFICATE ATTESTATION**

The undersigned authority has the honour to certify, in conformity with article 6 of the Convention,  
L'autorité soussignée a l'honneur d'attester conformément à l'article 6 de ladite Convention,

1) that the document has been served \*

1. que la demande a été exécutée

- the (date)

- le (date)

- at (place, street, number)

- à (localité, rue numéro)

- in one of the following methods authorised by article 5-

- dans une des formes suivantes prévues à l'article 5:

☐ (a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention\*.  
a) selon les formes légales (article 5, alinéa premier, lettre a).

☐ (b) in accordance with the following particular method\*:  
b) selon la forme particulière suivante :

☐ (c) by delivery to the addressee, who accepted it voluntarily. \*  
c) par remise simple

The documents referred to in the request have been delivered to:  
Les documents mentionnés dans la demande ont été remis à:

-(identity and description of person)  
-(identité et qualité de la personne)

-relationship to the addressee (family, business, or other):  
-liens de parenté, de subordination ou autres, avec le destinataire de l'acte:

2) that the document has not been served, by reason of the following facts\*:  
2. que la demande n'a pas été exécutée, en raison des faits suivants:

Refusal of service of Mr. Sum Yiu, Bailiff's Officer  
dated 16th April 2012

In conformity with the second paragraph of article 12 of the Convention, the applicant is requested to pay or  
reimburse the expenses detailed in the attached statement\*.  
Conformément à l'article 12, alinéa 2, de ladite Convention, le requérant est prié de payer ou de rembourser les frais dont  
le détail figure au mémoire ci-joint.

Annexes

Annexes

Documents returned:

Pièces renvoyées:

In appropriate cases, documents establishing the service:  
Le cas échéant, les documents justificatifs de l'exécution:

Done at

Fait à

Signature and / or stamp  
Signature et / ou cachet.



20 APR 2012

\*Delete if inappropriate.  
\*Supprimer les mentions inutiles.

香港特別行政區政府  
政務司司長辦公室轄下行政署



The Government of  
The Hong Kong Special Administrative Region  
Administration Wing,  
Chief Secretary for Administration's Office  
2 Tim Mei Avenue, Tamar, Hong Kong

香港添馬添美道 2 號

本函檔號 Our Ref.: CSO/ADM/SJ/25/2012

來函檔號 Your Ref.:

People's Republic of China

Room 321, 3/F, East Wing  
Central Government Offices  
Tel No. (852) 2810 3969  
Fax No. (852) 2842 8897

**By Speedpost**

13 April 2012

Karina Shreefer, Esq.  
LEGAL LANGUAGE SERVICES  
8014 State Line Road, Suite 110  
Leawood, Kansas 66208  
USA

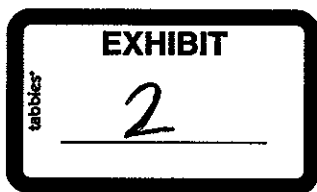
Dear Sir,

**Service of Documents on  
Suzuki Reconnaissance Advisors Limited**

I refer to your recent request and regret to inform that service of judicial documents could not be effected on the party concerned. Enclosed please find an Affirmation of Non-service completed by the Bailiff's Assistant of the High Court and the unserved documents for your disposal.

It is noticed that the addressee is a limited company. Under the laws of Hong Kong, where a party is a limited company, service is usually effected by leaving at the registered office. The Registrar of the High Court asked whether you could provide proof of the registered office of the addressee (in form of a company search record obtained from the Companies Registry of Hong Kong, more details can be viewed at <http://www.cr.gov.hk/en/electronic/search.htm>), so that the bailiff can attempt to serve the documents again. Alternatively, you may provide another address for service.

It is noticed that "USA" and "Hong Kong" are listed on an equal basis in the request form. For future requests for service, you may consider amending the above "Hong Kong" to "Hong Kong, China".



Yours faithfully,

(Calvin Chan)

for Chief Secretary for Administration

Encl.

CSO/ADM/SJ/25/2012A

Request for Service of Judicial Documents from: USA (KANSAS)

Party for Service: SUZUKI RECONNAISSANCE ADVISORS LIMITED

AFFIRMATION OF NON-SERVICE

I, CHEUNG Moon-cheong, Bailiff's Assistant of the High Court of Hong Kong, solemnly, sincerely and truly affirm as follows:

1. I was directed by the Registrar, High Court of Hong Kong to serve the above-named Suzuki Reconnaissance Advisors Limited with the following judicial documents:

- i) Request;
- ii) Summary of the document to be served;
- iii) Certificate (unexecuted);
- iv) Notice (Civil Action No.2:11 CV 1025);
- v) Summons in a Civil Action (Civil Action No.: 2:11 CV 1025); and
- vi) Complaint for Injunction with Exhibit 1 (Civil Action No.: 2:11 CV 1025).

2. I did on Tuesday the 27<sup>th</sup> day of March 2012 at 1124 hours call at the address given in the Request for Service, namely, Unit 1205, 12/F, Sino Plaza, 255 Gloucester Road, Causeway Bay, Hong Kong, for effecting the service of the aforesaid judicial documents.

3. On arrival at the aforesaid address, I could not find the said Suzuki Reconnaissance Advisors Limited. I found that the premises at the aforesaid address was wholly occupied by one company, namely Capgemini Hong Kong Ltd.

4. I made enquiries at the said Capgemini Hong Kong Ltd. and revealed the purpose of my visit to a female staff member Miss Hui therein. She told me that the party for service, namely Suzuki Reconnaissance Advisors Limited was unknown to her.

5. For the aforesaid reason, I was unable to effect service of the aforesaid judicial documents.

AND LASTLY, I solemnly, sincerely and truly affirm that the contents of this Affirmation are true.

AFFIRMED at  
Bailiff Hong Kong Regional Office,  
26th floor, Wanchai Law Courts Building,  
Hong Kong,  
this 28<sup>th</sup> day of March 2012

} 

Before me,



CHIU Chi-wai

Commissioner for Oaths  
Judiciary

CSO/ADM/SJ/25/2012A

**Request for Service of Judicial Documents from  
USA (KANSAS)**

**Judicial Documents to be served on:  
Suzuki Reconnaissance Advisors Limited**

\*\*\*\*\*

**AFFIRMATION OF CHEUNG Moon-cheong**

\*\*\*\*\*

**Dated this 28<sup>th</sup> day of March 2012  
Bailiff Hong Kong Regional Office  
26/F., Wanchai Law Courts Building,  
Hong Kong Special Administrative Region**

Civil Action No: 2:11 CV 1025

**REQUEST  
FOR SERVICE ABROAD OF JUDICIAL OR EXTRAJUDICIAL DOCUMENTS**  
**DEMANDE**  
**AUX FINS DE SIGNIFICATION OU DE NOTIFICATION A L'ÉTRANGER**  
**D'UN ACTE JUDICIAIRE OU EXTRAJUDICIAIRE**

Convention on the service abroad of judicial and extrajudicial documents in civil or  
commercial matters, signed at The Hague, November 15, 1965.  
*Convention relative à la signification et à la notification à l'étranger des actes judiciaires ou extrajudiciaires en matière civile  
ou commerciale, signée à La Haye, le 15 Novembre 1965.*

**Identity and address of the applicant**  
*Identité et adresse du requérant*

Karina Shreefer, Esq.  
LEGAL LANGUAGE SERVICES  
8014 State Line Road, Suite 110  
Leawood, Kansas 66208  
UNITED STATES OF AMERICA  
Tel. 1.913.341.3167

**Address of receiving authority**

Chief Secretary for Administration  
Hong Kong Special Administrative Region  
Government  
Room 321, 3/F., East Wing  
Central Government Offices  
2 Tim Mei Avenue, Admiralty  
HONG KONG, CHINA

The undersigned applicant has the honour to transmit in duplicate the  
above-mentioned Convention, requests prompt service of one copy thereof on the:  
(identity and address)

*Le requérant soussigné a l'honneur de faire parvenir—en double exemplaire—à l'autorité destinataire les documents ci-dessous énumérés,  
en la priant conformément à l'article 5 de la Convention précitée, d'en faire remettre sans retard un exemplaire au destinataire, savoir:*

(identité et adresse) SUZUKI RECONNAISSANCE ADVISORS LIMITED

Unit 1205, 12/F Sino Plaza, 255 Gloucester Road, Causeway Bay  
HONG KONG



(a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention.\*  
(a) selon les formes légales (article 5, alinéa premier, lettre a):



(b) in accordance with the following particular method (sub-paragraph (b) of the first paragraph of article 5)\*:  
(b) selon la forme particulière suivante (article 5, alinéa premier, lettre b): Personal (in-hand) service by a judicial officer in accordance  
with your internal law for service of documents upon persons or entities in your territory.



(c) by delivery to the addressee, if he accepts it voluntarily (second paragraph of article 5)\*:  
(c) le cas échéant, par remise simple (article 5, alinéa 2):

The authority is requested to return or to have returned to the applicant a copy of the documents—and of the annexes\*—with a certificate  
as provided on the reverse side.

*Cette autorité est priée de renvoyer ou de faire renvoyer au requérant un exemplaire de l'acte—et de ses annexes—avec  
l'attestation figurant au verso.*

THE PERSONS AND ENTITIES WITHIN THE UNITED STATES COMPETENT TO FORWARD SERVICE REQUESTS PURSUANT TO  
ARTICLE 3 INCLUDE ANY COURT OFFICIAL; ANY ATTORNEY; OR ANY OTHER PERSON OR ENTITY AUTHORIZED BY THE RULES  
OF THE COURT. (See U.S. declarations to the 1965 Convention at the Hague Conference website: [http://www.hcch.net/index\\_en.php?act=authorities.details&ald=279](http://www.hcch.net/index_en.php?act=authorities.details&ald=279))

**List of documents**

*Énumération des pièces*

Executed "Request," in duplicate

"Certificate" (unexecuted), in duplicate

"Summary," in duplicate

"Notice," in duplicate

Summons in a Civil Action, in duplicate

Complaint for Injunction with Exhibit 1, in duplicate

Done at Leawood, Kansas, U.S.A., the 12 Dec 2011

Fait à \_\_\_\_\_, le \_\_\_\_\_

Signature and/or stamp.

Signature et/ou cachet.

*Karina Shreefer*

\*Delete if inappropriate  
*Rayer les mentions inutiles.*

# **CERTIFICATE ATTESTATION**

The undersigned authority has the honour to certify, in conformity with article 6 of the Convention,  
L'autorité soussignée a l'honneur d'attester conformément à l'article 6 de ladite Convention,

1) that the document has been served \*

1. que la demande a été exécutée

- the (date) \_\_\_\_\_
- le (date) \_\_\_\_\_
- at (place, street, number) \_\_\_\_\_
- à (localité, rue numéro) \_\_\_\_\_

- in one of the following methods authorised by article 5-  
- dans une des formes suivantes prévues à l'article 5:

- ☐ (a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention\*.  
a) selon les formes légales (article 5, alinéa premier, lettre a).
- ☐ (b) in accordance with the following particular method\*:  
b) selon la forme particulière suivante : \_\_\_\_\_

- ☐ (c) by delivery to the addressee, who accepted it voluntarily. \*  
c) par remise simple

The documents referred to in the request have been delivered to:

Les documents mentionnés dans la demande ont été remis à:

- (identity and description of person)  
-(identité et qualité de la personne) \_\_\_\_\_

-(relationship to the addressee (family, business, or other):

-liens de parenté, de subordination ou autres, avec le destinataire de l'acte: \_\_\_\_\_

2) that the document has not been served, by reason of the following facts\*:

2. que la demande n'a pas été exécutée, en raison des faits suivants:

*Signature of non-servile of Cheung Moon-choy, Bailiff 3 Hs. 3422*  
*Dated 28/03/2012.*

In conformity with the second paragraph of article 12 of the Convention, the applicant is requested to pay or reimburse the expenses detailed in the attached statement\*.  
Conformément à l'article 12, alinéa 2, de ladite Convention, le requérant est prié de payer ou de rembourser les frais dont le détail figure au mémoire ci-joint.

Annexes

Annexes

Documents returned:

Pièces renvoyées:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

In appropriate cases, documents establishing the service:

Le cas échéant, les documents justificatifs de l'exécution:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Done at \_\_\_\_\_

Fait à \_\_\_\_\_



Signature and / or stamp.  
Signature et / ou cachet.

11 APR 2012

\*Delete if inappropriate.  
Rayer les mentions inutiles.